

1 B) The Court, having been so advised, finds the Company indebted to Plaintiff for
2 breach of contract and breach of the trust imposed upon the Company's assets under § 499e(c)
3 the Perishable Agricultural Commodities Act, 1930, 7 U.S.C. § 499a-499t, (the "PACA"), in the
4 amount of \$14,704.50, until the entire amount is paid in full.
5

6 C) The Company's actions in breach of the PACA trust were defalcations by the
7 Company while acting in fiduciary capacities to Plaintiff.

8 Accordingly, **IT IS HEREBY ORDERED, as follows:**

9 1. Final Judgment is hereby granted and entered in favor of Plaintiff against Defendant
10 M.R.P., Inc. in the amount of \$14,704.50. M.R.P., Inc. is liable for reasonable post-
11 judgment collection costs, including attorneys' fees, pursuant to stipulation by
12 M.R.P., Inc.
13
14 2. This Judgment is expressly founded upon M.R.P. Inc.'s defalcation of its fiduciary
15 duties to the Plaintiff.
16
17 3. Pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, this Court expressly
18 directs the entry of this Judgment as a final judgment with the execution upon this
19 Judgment to proceed immediately. This Court retains jurisdiction over any
20 supplementary proceedings required to enforce the judgment.

21 ENTER:
22

23 February 19, 2009


24 _____
25 United States District Court Judge

26 _____
27 Hon. George H. Wu
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